### IN THE UNITED STATES DISTRICT COURT

### FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC., :

.

Plaintiff,

:

v. : C.A. No. 05-346

.

ACARTUS, INC., : JURY TRIAL DEMANDED

.

Defendant.

# PLAINTIFF'S RULE 7.1 DISCLOSURE STATEMENT

Pursuant to FED. R. CIV. P. 7.1, the undersigned counsel for plaintiff Mobius Management Systems, Inc. (a private non-governmental party) hereby certifies that Mobius Management Systems, Inc. has no parent companies.

THE BAYARD FIRM

Kurt M. Heynfan (# 3054)

Email: <u>kheyman@bayardfirm.com</u>
222 Delaware Avenue, Suite 900

P.O. Box 25130

Wilmington, DE 19899

(302) 655-5000

Attorney for Plaintiff

Mobius Management Systems, Inc.

### OF COUNSEL:

KRAMER LEVIN NAFTALIS & FRANKEL LLP Randy Lipsitz (RL-1526) Jonathan M. Wagner (JW-7197) Norman C. Simon (NS-1407) 1177 Avenue of the Americas New York, New York 10036 (212) 715-9100

Dated: June 2, 2005

## **CERTIFICATE OF SERVICE**

Kurt M. Heyman, Esquire, hereby certifies that on June 2, 2005, copies of the foregoing Plaintiff's, Inc.'s Rule 7.1 Disclosure Statement were served via regular U.S. First Class Mail upon the following individuals:

> Acartus, Inc. c/o The Corporation Trust Company 1209 Orange Street Wilmington DE 19801

> > Mult M. Heyman (# 3054)